

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

STEVEN LYNNDALDE GILLIAM,)

Petitioner,)

v.)

Case Action Number:

2:14-cv-00765-AKK-TMP

KAYLA JONES, *Warden*, et al.,)

Respondents.)

MEMORANDUM OPINION

The above-styled action for *habeas corpus* relief was filed by the petitioner, Steven Lynndale Gilliam, pursuant to 28 U.S.C. § 2254. Doc. 1. The court appointed Katherine Luker to represent the petitioner, doc. 10, and a scheduling conference was held on July 26, 2016, before U.S. Magistrate Judge T. Michael Putnam, doc. 13. It was discovered at the scheduling conference that the petitioner had been released from Easterling Correctional Facility, but had not provided a forwarding address. A follow-up conference was held on August 15, 2016, doc. 14, at which time Petitioner's attorney informed the court that she had been unable to locate him.

On August 16, 2016, the magistrate judge issued an Order to Show Cause, doc. 15, allowing the petitioner 30 days to show why his petition should not be

dismissed for want of prosecution or for mootness. The petitioner was located, and on September 14, 2016, the petitioner, through his attorney, filed a response to the Order to Show Cause, advising the court that he no longer wishes to pursue his *habeas* petition and that he has no objection to the dismissal of the action. Doc. 16. Accordingly, this action for *habeas corpus* relief, filed under 28 U.S.C. § 2254, is due to be **DISMISSED WITHOUT PREJUDICE**. An Order of Final Judgment shall be entered contemporaneously herewith.

DONE the 17th day of October, 2016.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE